



US Army Corps  
of Engineers

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

NUMBER: 27549S Dredging – Port of San Francisco

DATE: May 23, 2003

RESPONSE REQUIRED BY: June 22, 2003

Regulatory Branch  
333 Market Street

San Francisco, CA 94105-2197

PERMIT MANAGER: Clyde Davis

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**1. INTRODUCTION:** The Port of San Francisco (through its agent, Ms. Christine Boudreau of Anchor Environmental CA L.P., 2101 Webster Street, 12<sup>th</sup> Floor, Oakland, California 94612) has applied for a ten-year Department of the Army permit to maintenance dredge various berths and marinas at the Port of San Francisco in San Francisco Bay, City and County of San Francisco, California (see Fig 1-1). The purpose of the proposed dredging is to maintain safe navigation depths. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344), Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

**2. PROJECT DESCRIPTION:** As part of the Port of San Francisco's standard maintenance program to provide navigable and safe operations at their facilities (see Fig 1-2), sediments from the following locations would be dredged on a periodic basis: Berths 9S and N, Pier 15/17 Face, Berths 27, 29, 30/32, 31/33, 35 E and W, 38N, 39E and W, 40, 41 ½, 43, 45E, 48, 50N and S, Pier 50 Face, Pier 52 Basin, Berths 54 N and S, Berths 80, 90, 91, 94/96, Inner and Outer Fisherman's Wharf, downtown Ferry Terminal, China Basin, South Beach Yacht Harbor, Central Basin, and Islais Creek. Dredging would include the approaches and channels to the berthing areas (see Figs. 5-1 through 5-18).

The applicant plans to remove approximately 4.8 million cubic yards (cy) of sediment from the Port of San Francisco over the life of the permit. Existing depths range from -12 to -40 feet mean lower low

water (MLLW). The design depths for the Port and the entrance channels range from -12 to -42 feet MLLW plus an additional 2-foot overdredge allowance. The material would be removed using a clamshell or hopper dredge or other appropriate equipment based on sediment type, and removed from the site by various tugs and scows to the Alcatraz Disposal Site (SF-11) or the Deep Ocean Disposal Site (SF-DODS). Other proposed disposal sites are:

1. Ox Mountain, an existing, permitted Class II landfill, owned and operated by Allied Waste Management.
2. Winter Island, a privately owned duck club permitted by the SFRWQCB to accept dredged material for use in levee maintenance.
3. Mare Island, owned by State Lands, leased to the City of Vallejo, and operated by Weston, is in the process of obtaining the necessary permits and documentation to receive dredge material within existing holding cells formerly operated by and for the Navy.
4. Montezuma Wetlands, owned and operated by Levine-Fricke Restoration Corp., is permitted to accept dredged material for use in creating wetlands.

In addition to standard dredging and in the interest of reducing the number of dredging episodes, the Port would also implement "knockdowns" when only patchy areas within a berth become navigation

obstructions and dredging of the complete berthing area is unwarranted. These events would be treated in the same manner as a standard dredging episode with appropriate submittals to and approvals by the Dredge Material Management Office (DMMO) to proceed.

Knockdown grading would be conducted using an I-beam or a dredging bucket (clamshell). A tugboat would drag the beam over the sediment, flattening any mounded material. Along the face of the wharf, a clamshell on a dredge vessel would scoop the mounded sediment, raise it slightly from the bottom of the berth or marina, and release it in a circular motion over a larger area. The effect of such activities would disperse underwater mounds within the confines of the berth, marina or designated dredged material management unit.

Prior to each dredging episode, the DMMO will evaluate the sediments to be dredged for disposal or reuse suitability. The DMMO includes representatives from the U.S. Environmental Protection Agency, San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and the U.S. Army Corps of Engineers (Corps). The DMMO is tasked with approving sampling and analysis plans in conformity with testing manuals, reviewing the test results and reaching consensus regarding a suitable disposition for the material.

**3. STATE APPROVALS:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a valid request for State water quality certification to the San Francisco Bay Regional Water Quality Control Board. No Corps permit will be granted until the applicant obtains the required certification. A certification shall be deemed to have occurred if the State fails or refuses to act on a valid request for certification within 60 days after receipt, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issues that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612, by the close of the comment period of this Public Notice.

The project is within the jurisdictional purview of the BCDC. The applicant will be required to obtain a permit from BCDC after the RWQCB has made a determination of water quality certification for this project.

**4. ENVIRONMENTAL ASSESSMENT:** The Corps of Engineers will assess the environmental impacts of the proposed project in accordance with the requirements of the National Environmental Policy Act (42 U.S.C. 4371 et. seq.), and pursuant to Council on Environmental Quality's Regulations 40 CFR 1500-1508, and USACE Regulations 33 CFR 230 and 325, Appendix B. Unless otherwise stated, this Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The documents used in the preparation of this Environmental Assessment are on file in the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California.

Endangered Species – There are a variety of federally listed animal and fish species that may occur in the vicinity of the proposed project area and/or disposal area. Therefore, dredging and disposal will be performed during the work windows identified in the *Management Plan 2001*, Long Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay, dated July 2001 (LTMS) as established by the existing Biological Opinions of the Resource agencies. However, if work is to be conducted outside of the work windows, the Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service as required by Section 7 of the Endangered Species Act.

The Corps has concerns regarding potential impacts to Pacific herring during its annual spawning season. The proposed maintenance dredging will occur within the traditional Pacific herring spawning grounds. As a result, the Corps will condition the permit (if issued) so that dredging will not be allowed during the peak of the spawning season.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would impact approximately 6000 acres of EFH utilized by various species of sole, shark and rockfish. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in California waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NOAA Fisheries.

#### **5. EVALUATION OF ALTERNATIVES:**

Evaluation of this activity's impact on the public interest will also include application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. 1344(b)). In particular, alternative disposal sites and beneficial reuses will be considered by the applicant to conform to the LTMS.

**6. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All

factors that may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

**7. CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**8. SUBMISSION OF COMMENTS:** Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this Notice and should be forwarded so as to reach this office within the comment period specified on page one of this Notice. Comments should be sent to: Mr. Clyde Davis, Regulatory Branch. It is Corps policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant

whose address is indicated in the first paragraph of this Notice, or by contacting Mr. Clyde Davis of our office at telephone (415) 977-8449 or by e-mail at [clyde.r.davis@usace.army.mil](mailto:clyde.r.davis@usace.army.mil). Details on any changes of a minor nature that are made in the final permit action will be provided on request.